

Austin City Council MINUTES

For APRIL 8, 1982 -- 1:00 P.M.

Council Chambers, 301 West Second Street, Austin, Texas

City Council

Carole Keeton McClellan

John Treviño, Jr. Mayor Pro Tem

Council Members
Larry Deuser
Roger Duncan
Richard Goodman
Ron Mullen
Charles E. Urdy

Nicholas M. Meiszer City Manager

> Grace Monroe City Clerk

Memorandum To:

Mayor McClellan Called to order the Meeting of the Council scheduled for 1:00 P.M., noting that Councilmembers Mullen, Deuser, Urdy and Goodman were not present in the Council Chamber. They arrived at 1:06, 1:06, 1:15 and 2:45 respectively.

INVOCATION

The Invocation was given by Reverend Dr. Stephen E. Kirtley, Central Christian Church.

CONSENT MOTIONS

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, adopted all the resolutions, except E.9, E.10, and E. 13, in one consent motion. (6-0 Vote, Councilmember Goodman absent)

Motion to Reconsider

Council unanimously agreed to reconsider the motion.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Urdy's second, adopted the following resolutions in one consent motion: (6-0 Vote, Councilmember Goodman absent)

Release of Easements

Authorized release of the following easements: A portion of a 5' x 40' Guy Wire Easement located on Lot 5, Block C. Barton Hills, Section 6 and a portion of a 7.5 Public Utility Easement on Lot 1, Block D, Barton Hills Section 7, 2606 Foxglen Drive. (Requested by Metcalfe Engineering Company, Inc., representing Mr. Tim Hunke)

Structures to be Removed

Authorized the following structures to be removed:

a.	3905 Jefferson Street	Henry Foradory	\$2,785.00
b.	3909 Jefferson Street	Mari Schnell	\$2,526.00
c.	3911 Jefferson Street	Gene Drake	\$1,010.00
d.	3913 Jefferson Street	Gene Drake	\$3,520.00
e.	4005 Jefferson Street	Robert Spaulding	\$ 101.00
f.		Billie Bradford	\$8,581.00
	4009 Jefferson Street	Robert Spaulding	\$ 101.00
n.	4011 Jefferson Street	Jerome Pierson	\$2,000.00
].	4101 Jefferson Street	Gene Drake	\$4,510.00
J.	4103 Jefferson Street	Robert Spaulding	\$ 101.00

Water and Wastewater Approach Mains

Authorized approval of the following water and wastewater approach mains:

a. NATIONAL BANK OF COMMERCE

- Wastewater approach main to serve Oak View Section Two Subdivision. Estimated cost \$23,880 with no City cost participation.
- **b.** WALTER VACKAR AND ASSOCIATES
- Water and wastewater approach mains to serve The Echelon Subdivision. Estimatec cost is \$71,709 for water and \$196,535 for wastewater. No City cost participation.

Contracts Approved

Approved the following contracts:

- a. NORTH AUSTIN GROWTH CORRIDOR MUD #1
 Provident Development Corporation
 8140 North MoPac Expressway
 Suite 130
 Austin, Texas
- b. UNITED STATES PIPE & FOUNDRY COMPANY 11325 Pegasus Street, Suite E-226 Dallas, Texas
- COMANCHE EQUIPMENT CORPORATION 1240 Old Bastrop Hwy.
 Austin, Texas

- To construct approximately 2,289 feet of 54-inch pipe for Upper Walnut Creek Wastewater System Improvements Phase II-B from I-H 35 to Lamar Boulevard Estimated cost \$628,970.00.
- Ductile Iron Pipe, Water and Wastewater Department Twelve (12) month Supply Agreement Items 1-8 - \$95,465.00
- Gasoline Powered Forklift,
 Water and Wastewater Department
 Item 1 \$13,000.00

CONTRACTS APPROVED - (Continued)

- d. Bid award:
 - a. KRUMM MOTORCYCLE SALES, INC. 1707 Barton Springs Road Austin, Texas
- e. ADT SECURITY SYSTEMS COMPANY 900 Old Koenig Lane #132 Austin, Texas
- f. SAM BARRON COMPANY, INC. 10417 Perrin-Beitel Road San Antonio, Texas
- g. WESTVACO, U. S. ENVELOPE DIVISION 10700 Harry Hines Dallas, Texas
- h. Bid award:
 - (1) WITTIG'S INC. 7101 San Pedro San Antonio, Texas
 - (2) ABEL'S CONTRACT FURNITURE 10300 Metric Boulevard Austin, Texas
- i. XEROX CORPORATION7718 Wood Hollow Drive, Suite 200 Austin, Texas
- j. WHITTAKER GENERAL MEDICAL 2131 Theo Drive Austin, Texas

- Police Motorcycles, Vehicle and Equipment Services Department
- Item 1, 11 ea. \$49,753.00
- Battery Operated Detector Smoke Alarm, Fire Department Item 1 - \$9,997.00
- Computerized Card Embosser,
 Brackenridge Hospital Admission
 Department
 Item 1 \$16,495.00
- Envelopes, Purchases and Stores Department Items 1 & 2 - \$28,550.25
- Furniture for East Austin Health Center, Health Department
- Items 3-7, 24-25, 27, 33-34, 36-37, 39-50 \$32,214.00
- Items 2, 8, 22-23, 26, 28-32, 35, 38 and 51 \$12,516.20
- Coin-operated Photocopiers, Library Department Twelve (12) month Contract Estimated cost \$33,498.96
- Automated Safety and Performance Analyzer, Brackenridge Hospital Item 1 - \$6,995.00

CONTRACTS APPROVED - (Continued)

- k. Bid award:
 - (1) PITNEY-BOWES
 104 East Huntland Drive
 Austin, Texas
 - (2) UNICOPY
 5555 North Lamar, Suite K-123
 Austin, Texas
 - (3) EASTMAN KODAK COMPANY 7715 Chevy Chase, Suite 100 Austin, Texas
- BENWIL INDUSTRIES, INC. 20526 Gramercy Place Torrance, California
- m. NATIONAL ELECTRIC COIL COMPANY 10010 Gulf Freeway Houston, Texas
- n. H.F.C. FRAMING, INC. 4112-B Medical Parkway, Suite 201 Austin, Texas
- o. INTERNATIONAL BUSINESS MACHINES CORP. 1609 Shoal Creek Boulevard Austin, Texas

- Office Copy Machines, Various City Departments Twenty-four (24) month Agreement
- Item 1, 2 machines \$53.49
 Item 2, 6 machines \$267.24
 Item 3, 5 machines \$723.75
 - Item 2, 5 machines \$402.50 Item 3, 14 machines - \$2,693.80 Item 4, 3 machines - \$584.03 Item 5, 8 machines - \$2,052.16 Item 6, 8 machines - \$3,600.00 Item 7, 4 machines - \$2,380.00
- Item 8, 1 machine \$1,452.00 Item 9, 1 machine - \$1,771.35 Item 10, 1 machine - \$2,187.00
- Mobile Wheel Contact Vehicle Lifting System, Urban Transportation Department Item 1, 1 ea. @ \$16,181.00 Item 2, 8 ea. @ \$335.00 Total \$18,861.00
- Emergency purchase for rewinding exciter armature, reconditioning of field, and overspeed testing of Holly Unit No. 1, Electric Department Item 1 - \$11,250.00
- Housing Demolition Program -Clearing of property and structures, Building Inspection Department -\$24,512.00
 - Central Processing Unit, Information Systems
 Item 1 \$16,451.69/month
 (\$16,475.69 beginning October 1, 1982, with a maximum 5% increase each fiscal year thereafter)

Capital Improvements Program

Approved a Change Order in the amount of \$18,812.95 to Temple Associates, Inc. for Robert Mueller Municipal Airport interim terminal improvements. C.I.P. No. 80/81-04 (Original contract price \$4,795,000.00 - Change Order equals 0.39% of original contract price. Previous Change Order - \$285,924.71 or 5.96% of original contract price.)

Temporary Street Closing

Approved temporarily closing the following:

- a. 25TH STREET from Pearl to San Gabriel on April 14, 1982 from 2:00 p.m. to 6:00 p.m., as requested by Ms. Sandy Thompson representing the Alpha Xi Delta Sorority.
- b. 6TH STREET from Red River Street to Brazos Street; BRAZOS STREET from 7th Street to 5th Street; SAN JACINTO STREET from 5th Street to 7th Street, NECHES from 5th Street to 7th Street, on May 1 through 3, 1982, from 3:00 a.m. to 3:00 a.m., as requested by Mr. French N. Smith III, representing The Old Pecan Street Association.

Items Postponed

Consideration of position on proposed FY '83 Federal Budget regarding energy and consideration of position on proposed FY '83 Federal Budget regarding environment protection was postponed until April 15, 1982 at 5:15 p.m.

Public Hearing Set

Set a public hearing on an amendment to Section 13-3-84 of the Austin City Code pertaining to boundary streets of new subdivision for April 29, 1982 at 2:30 p.m.

MoPac

Instructed City Manager to instruct staff to initiate the procedure amend Austin Metropolitan Roadway Plan to add the segment of Loop 1 (MoPac) from U.S. 183 North to FM 1325, and the segment of Loop 1 (MoPac) from Loop 360 South to U.S. 290 West, including directing the Planning Commission to submit its recommendation to the Council as required by Charter, and review and comment by the Environmental Board.

CONSENT ORDINANCES

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Deuser's second, waived the requirement for three readings and finally passed the following ordinances in one consent motion: (6-0 Vote, Councilmember Goodman absent)

Weed Control

Approved an ordinance repealing Section 6-9-30, of Article II, Chapter 6-9 of the 1981 Austin City Code to allow the City to execute a multiyear agreement(s) for weed control contract services.

Mayfair

Established a special transit fare, no charge, for citizens 65 years of age or older for Saturday, May 22, 1982, in conjunction with the annual "Mayfair" event.

Item Pulled

Council agreed, during the consent motion, to pull the following item from the agenda: Consider an ordinance amending Chapter 6-3 of the City Code of 1981 regarding restricted areas at Brackenridge Hospital. Staff requested to meet with the news media.

Inks Landing

Approved a request for a variance from the Septic Tank Ordinance to allow either an evapotranspiration or experimental system on a lot of less than one acre. (Inks Landing Subdivision)

Items Postponed

The following are postponed until April 15, 1982 at 7:15 p.m.:

- Consider establishing a subsequent user fee for Water and Wastewater customers connecting to certain portions of the North Lamar Water Approach Main and the Big Walnut Creek Wastewater Interceptor.
- Consider an ordinance relating to NPC North Central Austin Growth Corridor Municipal Utility District No. 1, Alternative No. 1 and Alternative No. 2 (Councilmembers Larry Deuser and Roger Duncan)
- <u>Second</u> and <u>third</u> readings of an ordinance granting the consent of the <u>City</u> to the creation of the North Central Austin Growth Corridor Municipal Utility District No. 1 and authorizing agreements with the District.

Closing of 23rd Street

Amended Section 10-5-166 of the Austin City Code relating to the closing of 23rd Street on April 15, 17, 18 1982 (rain dates: April 23, 24, 25, 1982).

Landscaping Requirements

Passed through third reading of an ordinance amending Chapter 13-2 of the Austin City Code (Zoning Ordinance) to provide for new landscaping requirements.

Ordinance Amended

Amended Ordinance No. 811028-E (Zoning Case No. C14r-81-153) to correct errors relating to the legal description and the use designation.

Zoning Ordinance

Amended Chapter 13-2 of the 1981 Austin City Code (Zoning Ordinance) to cover the following changes:

MARY A. RAGLAND, ET AL By Jerry Saegert C14-81-245 3612-3618 S. 2nd Street From "A" 1st H&A to 800-804 S. Center "LR" & "0-1" 1st H&A

CONTRACT APPROVED

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Deuser's second, adopted a resolution approving the following contract:

Bid Award:

- Police Motorcycles, Vehicle and Equipment Services Department

TRIDENT MOTORS, INC. 663 Harmon Plaza Cincinnati, Ohio

- Item 2, 9 ea. - \$67,122.00

SOLICITATION ORDINANCE

Council had before them for consideration an ordinance amending Ordinance No. 700723-H (Charitable Solicitation Ordinance) to require public disclosure by solicitors of certain information.

Mr. Jeff Blackwelder appeared before Council and stated, "I am here on behalf of the City Legal Department to introduce to you the Charitable Solicitation Ordinance. Basically I have laid out the facts behind what we are trying to do in the memo I sent to Mr. Meiszer. Briefly, it is this. We have a Charitable Solicitation Ordinance that presently has a provision in it allowing our local charitable solicitation board to deny a permit to solicitors whose expenses exceed 25% of the gross funds they would retrieve. The Federal Magistrate has enjoined us from operating under that provision on the argument that such a denial of a permit would preclude the solicitors access to the public. In other words, the First Amendment problem. In

SOLICITATION - (Continued)

response to that injunction we have attempted to substitute the authority to deny a permit with some simple disclosure provisions which would be required of solicitors whose expenses would exceed the 25%. Basically this would require that of those solicitors having expenses over 25% they would confront the prospective contributor and tell them that City Ordinance requires that they be informed that City expenses exceed 25% and further information is available at the City Clerk's office. It doesn't go into any more detail than that. What we are talking about does not have a great deal of impact on the solicitors here in town. Mr. Greg Monroe, Solicitation Board Chairman, gave a report recently on his year's experience. There were 129 applications, five of which had the permit denied. Of the applications, only five of that number had expenses in excess of 25% so we are talking about disclosure provisions that would only be required of less than 4% of the solicitors who have come before the Board for a permit."

Mr. Denman Smith, member of West Austin Lion's Club, told Council they raise money for the good of the City. A year ago they engaged Sun Shows to do a ClownCapade. The Solicitation Ordinance as written has been litigated by Sun Shows. Mr. Smith said the Lion's Club has many problems with the Solicitation Ordinance as it is written and they would like to have an ordinance which will better serve the City of Austin. He asked why 25% is the magic number because an expense is an expense. Mr. Smith said that when this was involved in litigation he thought some consideration would be given to the rewriting of the ordinance. He asked the City Council to let the Solicitation Committee rewrite the ordinance.

Mayor McClellan said she concurs the Lion's Club does worthwhile projects. Discussion followed concerning the ordinance.

Mr. Monroe, Chairman, Solicitation Board, said they have no problem with the Lion's Club, but the problem is the solicitation of funds controlled at 25% for expenses. Mr. Monroe feels the solicitors, in some cases, should disclose how much of the contribution will be used for charity.

Mr. Jerry Morris, attorney for Sun Shows, discussed the Lion's Club sponsorship of ClownCapade, and stated the gross was \$118,000 and of that, 79.9% was for expenses. He said the ordinance as written penalizes the intangibles.

Councilmember Mullen asked if Council does what they are going to do, if it will make the court case moot. Mr. Blackwelder said there is an agreement if the 25-75 is taken out the court case will be dismissed. He said the amendment is designed to show where the citizens dollars are going. Councilmember Mullen said in order to protect ourselves we need to pass an ordinance and then come back with a compromise.

Mr. Morris said he would like the oral presentation of expenses left out of the ordinance and let publishing of the amounts suffice. Mr. Blackwelder said the oral is needed. Mayor McClellan said the expense breakdown could be published in the newspaper before the solicitation and it could also be printed on the ticket, thus eliminating the need for oral disclosure also.

SOLICITATION - (Continued)

Motion

The Council, on Councilmember Mullen's motion, Councilmember Duncan's second, waived the requirement for three readings and finally passed an ordinance amending Ordinance No. 700723-H (Charitable Solicitation Ordinance) to require public disclosure by solicitors of certain information. (6-1 Vote, Mayor McClellan voted No.)

TASK FORCE ATTENDANCE

The Council, on Councilmember Mullen's motion, Councilmember Goodman's second, approved establishing the same attendance requirements for the Downtown Revitalization Task Force as other City boards and commissions. (7-0 Vote)

(This was introduced to Council by Councilmember Mullen.)

PROGRESS REPORT

Mr. Alan Taniguchi, chairman, Downtown Revitalization Task Force, discussed the Downtown Revitalization Task Force Progress Report. (COPY ON FILE IN CITY CLERK'S OFFICE)

Councilmember Duncan asked why they are recommending a consultant. Karen McGraw, member of the task force, said no one on staff can do what they want done. Councilmember Duncan said the task force was formed so the people of Austin would be the ones to say what can be done, Mayor McClellan suggested the City Manager look into what is needed because the City does have a good staff. Discussion followed with Mr. Meiszer saying he wants to meet with the task force.

Robert Barnstone, Downtown Revitalization Task Force, presented the minority report and said another major study is not needed. He told Council to direct the task force to do what they want them to do and a consultant is not needed.

Mayor McClellan told task force members the City Manager can give them information concerning good staff help.

GAS RATE CONSULTING

The Council, on Councilmember Goodman's motion, Mayor McClellan's second, adopted a resolution to select George Hess (who is to utilize Willis & Graves wherever possible) and approved a contract and estimated fees for gas rate consulting and related legal services. (7-0 Vote)

ELECTRIC GENERATING CAPACITY

Mr. Dan Kirschner, Economic Analyst, Environmental Defense Fund, presented the City Manager report on Long Range Electric Energy Planning in Austin as follows:

I have been involved for the past 5 years in developing computer-based models for the economic analysis of electric utility plans. What we do is make side-by-side comparisons of plans that will meet the <u>same</u> energy needs through investment of money in conventional plant construction, or through investment in reliable, tested, presently available alternatives including renewable energy sources and conservation.

The results have been encouraging in the case studies we have performed for utilities across the country: the alternatives can meet the same energy needs morel heaply in an economically and financially sound manner. For example, more efficient refrigerators can save electricity for less than one cent per kilowatt-hour, compared to current electricity prices of five cents per kilowatt-hour and higher. In addition, the alternatives can produce and save energy more quickly than investments in long lead time conventional plants.

An example is alternatives to a large coal-fired plant proposed to be built in Utah and Nevada -- the Allen-Warner Valley Energy System-- by two California Utilities, Southern California Edison and Pacific Gas and Electric. After the Environmental Defense Fund presented its analysis to the California Public Utilities Commission the two utilities cancelled the plant. Both are now committed to meeting a significant portion of their future energy needs through conservation and renewable energy.

I am impressed by the steps Austin is taking towards making a similar committment to meeting future energy needs in a least-cost, economically sound manner. The city Electric Department and the Office of Energy Conservation and Renewable Resources are beginning to conduct the kind of economic analysis which can show what are the most cost-effective investments for meeting these future energy needs.

I can see, however, that a good deal of additional work is necessary. This is especially true in the area of determining Austin's future electric needs. The forecasting methods currently used by the Electric Department do not take sufficient account of the effects of increasing electric prices and improvements in electric appliances on electricity consumption. Also, the forecasts make no consideration of the impact of conservation and renewable energy. While the fore-

CAPACITY - (Continued)

casts do properly account for continued population growth in Austin the forecasts only make guestimates of increasing electricity use per customer -- though national trends and common sense indicate that electricity use per household is holding steady or declining.

I am convinced, given the locally developed data I have seen on the effectiveness of home weatherization in Austin and other information on conservation and renewable energy sources, that these alternative energy sources can make a significant impact in Austin in terms of a reduced growth rate in electricity consumtion and deferral of the need for new generation facilities.

I cannot emphasize strongly enough that the current forcasts do not provide any reliable basis for making decisions about Austin's energy future. Careful economic analysis is necessary in order for Austin to be able to make good decisions about its future today.

SIX FLAGS OVER ZILKER

The Council, on Councilmember Urdy's motion, Councilmember Duncan's second, approved the request of Ms. Annabel Linscomb, for permission for the sale of beer and wine at Zilker Park on April 24, 25, 1982 during "Six Flags Over Zilker" annual event. (6-0 Vote, Councilmember Goodman out of the room.)

CITIZEN DID NOT APPEAR

Mr. Jack Nation had requested to appear before Council to ask for exemption from the moratorium on subdivision platting along Lake Austin Shoreline. He did not appear.

REQUEST FOR EXEMPTION

Mr. Norman D. Jones appeared before Council to request exemption from the moratorium on subdivision platting along Lake Austin Shoreline.

Councilmember Duncan said someone not meeting the requirements should not be exempted. He suggested this request be given to the Planning staff for analysis.

PERMISSION TO SELL BEER

Mr. Roland DeNoie appeared before Council to discuss ordinance closing 23rd Street and requested permission to sell beer and wine on April 16, 17, 18, 1982 (rain dates April 23, 24, 25, 1982) in connection with street closure. (6-0 Vote, Councilmember Goodman was out of the room)

FAJITA COOK-OFF

The Council, on Councilmember Duncan's motion, Mayor Pro Tem Trevino's second, approved the request of Mr. Ramiro Guzman for permission to use Auditorium Shores for Third Annual Fajita Cook-Off, Saturday, June 19, 1982, from 7:00 a.m. to 12:00 midnight, and approved placing of banners at Manchaca & Ben White Boulevard, 1600 South Lamar and 6700 Airport Boulevard and permission to sell beer during the event. (7-0 Vote)

CITY FACILITIES FOR PRIMARY ELECTION

The Council, on Councilmember Deuser's motion, Mayor Pro Tem Trevino's second, approved the request of Ms. Clara Jean Sherrill, to use the following City owned facilities for Primary Election on May 1, 1982 from 6:00 a.m. to approximately 9:00 p.m.: (7-0 Vote)

254 City of Austin, Fire Station #25, 5228 Duval Road 425/434 City of Austin Fire Station #22, 5309 Riverside Orive

LAS MADERAS DEVELOPMENT

Mr. Pete Dwyer appeared before Council to discuss "Las Maderas" development. He said North Bluff Drive needs some road improvements and discussed C.I.P. improvement money approved in the last bond election. He said they plan to dedicate right of way. Mr. Dwyer said he will not bring the Las Maderas project on line for occupancy until Phase I is done. Councilmember Duncan told him that the staff is working now on the North Bluff Creek Drive problems.

PUBLIC HEARING SET

The Council, on Councilmember Duncan's motion, Mayor Pro Tem Trevino's second, approved the request of Mr. Bruce F. Rieck, general partner of Pecan Street Ltd. Partnership, and set a public hearing on May 6, 1982 at 5:00 p.m. with respect to amendment or extension of the Eligible Blighted Area Designation to include the four buildings located at 200-212 East 6th Street. (7-0 Vote)

PUBLIC HEARING - LAKE AUST WATERSHED STANDARDS

Mayor McClellan opened the public hearing scheduled for 3:00 p.m. on amendments to Chapter 13-3 of the Austin City Code Subdivision Ordinance to reinstate portions of Lake Austin Watershed standards omitted during printing of the City Code of 1981.

Mr. Jonathon Davis, Assistant City Attorney, told Council this is just a "housekeeping" procedure.

No one appeared to speak.

HEARING - (Continued)

Motion

The Council, on Councilmember Mullen's motion, Mayor Pro Tem Trevino's second, closed the public hearing, waived the requirement for three readings and finally passed an ordinance amending Chapter 13-3 of the Austin City Code Subdivision Ordinance to reinstate portions of Lake Austin Watershed standards omitted during printing of City Code of 1981. (7-0 Vote)

RECESS

Council recessed its meeting at 4:15~p.m. and resumed its recessed meeting at 4:35~p.m.

PUBLIC HEARING - PRINCIPAL ROAD AREAS

Mayor McClellan opened the public hearing scheduled for 4:30 p.m. to consider amending Chapter 13-2 (Zoning Ordinance and Chapter 13-3 (Subdivision Ordinance) of the Austin City Code pertaining to Principal Road Areas.

Mr. Lillie, Director of Planning, outlined the amendments. He said the recent changes approved by Council concerning the spacing of signs which had been changed from 1000' to 500' and 1000' have not been changed in the Roadway Ordinance.

Councilmember Goodman asked if all proposals have been approved by the Planning Commission. Mr. Lillie told him the Planning Commission's sub-committee vote of approval was unanimous.

No one appeared to be heard.

Motion

The Council, on Councilmember Goodman's motion, Councilmember Mullen's second, closed the public hearing, waived the requirement for three readings and finally approved amendment to Chapter 13-2 (Zoning Ordinance) & Chapter 13-3 (Subdivision Ordinance) of the Austin City Code pertaining to Principal Road Areas. (7-0 Vote)

RECESS

Council recessed its meeting at $4:45~\mathrm{p.m.}$ and resumed its recessed meeting at $5:00~\mathrm{p.m.}$

PUBLIC HEARING - STRIPLING-BLAKE LUMBER COMPANY PDA

Mayor McClellan opened the public hearing scheduled for 5:00 p.m. to consider the Stripling-Blake Lumber Company PDA located at 13822-13826 F.M. 620 at Tom Kemp Lane covering approximately 33 acres.

Mr. Lillie addressed Council, telling them that the proposed lumber company site will be the same as the one located on Steck Avenue. He said it will be located toward Round Rock in Austin's ETJ and will be a commercial activity. The water and wastewater consumption will be minimal. There will be evapotranspiration on site, and no industrial fumes will be created. The Planning Commission has recommended the PDA.

Councilmember Duncan said this is the first time he has seen an ET system proposed for this large a commercial activity. Mr. Scudder, architect for the project, told Council it is in order.

Motion

The Council, on Councilmember Duncan's motion, Councilmember Goodman's second, closed the public hearing and approved the Stripling-Blake Lumber Company PDA located at 13822-13826 F.M. 620 at Tom Kemp Lane covering approximately 33 acres. (7-0 Vote)

CLASS RECOGNIZED

Mayor McClellan recognized the Texas government class from Austin Community College who were visiting the Council Chamber.

RECESS

Council recessed its meeting at 5:06~p.m. and resumded its recessed meeting at 5:30~p.m.

PUBLIC HEARING - SHEPHERD MOUNTAIN TRACT

Mayor McClellan opened the public hearing scheduled for 5:30 p.m. to consider amending Ordinance No. 810820-B (Water and Wastewater Service Area Ordinance) to include Shepherd Mountain tract.

Mr. Rodger White, Acting Director of Water and Wastewater, told Council 800 condominium units are proposed on the site. The developer has water supply committments from LCRA and is requesting wastewater service from the City of Austin. Wastewater service would require the installation of 2000' of 12" main from the subdivision to the cross town tunnel. The developer has also requested a discharge permit for 250,000 gallons per day if the approach main is not approved. The Texas Department of Water Resources held a hearing on this case on March 11, 1982 and granted a 30 day continuance. The Planning Commission and Water and Wastewater Commission have recommended disapproval of the service area amendment and approach

SHEPHERD MOUNTAIN TRACT - (Continued)

main. The Environmental Board has recommended extension of wastewater service. The Water and Wastewater Commission is concerned that this would set a precedent and would recommend that if the Council does approve the service area amendment that the Council consider doing away with the service area policy. Mayor McClellan said she did not agree with the service area policy to begin with.

Councilmember Duncan said he does not favor allowing a discharge permit into Bull Creek and under full purpose annexation, providing full service or under the limited purpose annexation we should pump the wastewater to the crosstown sewer that is available to that area. Under either option, he said, the service area will have to be amended. He said that is what is before Council today, not the number of units, etc. He favors amending the service area for this. Other factors may be involved at a later date such as increment fees, wastewater capacity, and Council will be discussing the level of development, etc. Mayor McClellan concurred that the City does not want discharge into Bull Creek and eventually into the lake drinking water supply.

Motion

Councilmember Goodman made a motion, seconded by Councilmember Urdy to close the public hearing, and waive the requirement for three readings to finally pass an ordinance amending Ordinance No. 810820-B (Water and Wastewater Services Area Ordinance) to include Shepherd Mountain tract.

Councilmember Mullen said he wanted to discuss the whole concept of things they have been concerned with for some time. Council did spend a few minutes in discussion of the service area.

Councilmember Goodman stated for the record, "I think it is important to point out at this stage that in amending the service area line it is my feeling that ultimately the Council will be faced with a decision on a wastewater treatment plant capacity fee for such developments as this. That is part of the solution that is going to be necessary as we continuously come against this problem with the biggest single problem currently being that of wastewater plant capacity. I just want that clearly on the record that amending the service area is a distinct possibility if not a probability in the coming months."

Pete Dwyer appeared before Council and said he owns a tract near to the Shepherd Mountain tract that was originally considered in the limited annexation hearing boundaries. He said, "If you consider amending the water and wastewater service area boundaries, give us the same ability to tie on to it if there is going to be that ability." He said his tract is £.9 acres fronting on 2222. He said the limited annexation boundaries go down 2222 to take in his tract to City Park Road. Mr. Dwyer said he hopes to build a small office building on the tract. Council told him he will have to make application for an amendment to the service area.

Roll Call on Motion

RECESS

Council recessed its meeting at $5:50~\mathrm{p.m.}$ and resumed its recessed meeting at $6:00~\mathrm{p.m.}$

ITEM POSTPONED

The following resolution will be considered on the April 15, 1982 Agenda:

DOYLE WILSON, INC.

Twelve inch Wastewater
Approach Main to serve
Shepherd Mountain
Subdivision. No City cost
participation.

ZONING HEARING

Mayor McClellan opened the zoning hearing scheduled for 6:00 p.m. Council heard, closed the public hearing, and directed the City Attorney to draw up the necessary ordinances.

C14-82 PETER A. DWYER 009 TRUSTEE

2510 &4504 North Bluff From Interim "A" 1st H&A
To "BB" 1st H&A
RECOMMENDED subject to
staff recommendations
and ordinance requirements, site plan approval
by Planning Commission.
GRANTED AS RECOMMENDED

Mr. Lillie reviewed and said the applicant and the neighborhood are in agreement. Councilmember Goodman and Councilmember Duncan asked for an update from Public Works concerning North Bluff Drive.

(On Councilmember Duncan's motion, Councilmember Goodman's second, 7-0 Vote)

CONTINUED HEARING ON ZONING CASE

Mayor McClellan announced the continued hearing on Zoning Case No. C14-81-219, City of Austin Planning Department, Case 8. (Recommended by the Planning Commission as requested.)

Councilmember Goodman said the new zoning ordinance which the Planning Department is working on will make a difference. He suggested after the new ordinance has been approved, this zoning case should be re-scheduled and the individuals re-notified.

No one appeared to be heard for the hearing.

CONTINUED HEARING - (Continued)

Motion

The Council, on Councilmember Goodman's motion, Mayor Pro Tem Trevino's second, closed the public hearing. (7-0 Vote)

RECESS

Council recessed its meeting at $6:10~\rm p.m.$ and resumed its recessed meeting at $6:25~\rm p.m.$

ANNEXATION PROCEEDINGS

Council had before them a resolution to set a public hearing on an amendment to Section 13-3-84 of the Austin City Code pertaining to boundary streets of new subdivision.

Councilmember Duncan stated, "The question of growth management has been discussed for some time and is certainly one of the major issues that Austin faces. We've made some decisions in the past and as with all decisions they need to be re-evaluated from time to time. I think all of us admit now that we cannot ignore growth outside the City limits and outside the preferred growth corridor. I'm as willing to admit as anyone is that we cannot stop growth by denying utilities to any I think the LCRA has shown us that and if not through the LCRA, MUD's, incorporations and so forth, will certainly circumvent anything that the City just ignores outside of the City limits. I think it is time to look again at the general question of annexation of the Oak Hill area and to see if we should be moving toward annexation so that we can gain some zoning powers over the strips like 290, to specifically prevent them from becoming uncontrolled strips of highway like 183 is in certain areas and so specifically, I would like to make the following request. That the staff come back to the City Council as it is recommended in the past with a proposal for full purpose annexation of Highway 290 with 250' on either side of the center line. That's a 500' strip along Highway 290 up to the "Y" of 290 and 71 and for the staff to report back our capability of full service in this area... utility service, fire, police, etc. At the same time I would like for the staff and the Planning Commission to look at full purpose annexation, I think they already have, and I think the field notes are written for the 500' strip for 290. In addition to that I would like the staff and Planning Commission to study the question of annexation in the Oak Hill area and the options available...full purpose annexation and full service and what that option would cost us in terms of utility infrastructure, bond requirements for that level of service. And limited purpose annexation and what the requirements of CIP and bond requirements would be for that option. Any combination of those two options that the Planning Commission might want to consider, along with any infrastructure requirements that we need to make to provide the level of service, whether it be the full service or limited purpose annexation. They will also have to consider at the same time the water and wastewater master plan that is in its final stages now and how it speaks to this area."

Councilmember Goodman said that will be done in a couple of public hearings, one in the Council Chamber and one at the site.

ANNEXATION - (Continued)

Mr. Tom O'Meara appeared before Council to say the people of Oak Hill will not tolerate control without service.

Jerry Angerman told Council they want full annexation.

Bob Pearman, who owns property in Oak Hill wants full annexation so the City ordinances will control the environment.

Councilmember Goodman asked Mr. Lillie, "When were the field notes prepared and when was annexation of 290 & 71 undergoing Council consideration." Mr. Lillie answered, "They were prepared for the last Council, prior to last March." Councilmember Goodman said, "I just wanted that to be clearly reflected on the recordthis is not a new idea, it's been under discussion and we have done the same thing in other areas."

Council agreed an item should be scheduled on next week's agenda to set two public hearings for full annexation proceedings on a strip 250' on either side of 290 out to the Y.

ZONINGS SET FOR PUBLIC HEARING

1121-1131 Airport Blvd.

(No formal neighborhood group)

The City Manager reported the following applications have been referred to the Planning Commission for recommendation and have been set for public hearing before the City Council on April 29, 1982:

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1.	C14r-82-021	AUSTIN CORPORATION By: Jeryl Hart Engineers, Inc. 6200-6400 Balcones Dr. 3419-3425 North Hills Dr. also bounded by Hart Lane (Northwest Austin Civic Assn.)	FROM: TO:		'A", 19 H&A	st :	H&A
2.	C14-82-022	REMEDIOS MERCADO By: W. L. Thompson 2906 Cole (Concordia Neighborhood Assn.)	FROM: TO:				
3.	C14-82-023	NEVILLE M. MORRIS et ux By: Mission Development Corp. 8129 North Lamar (No formal neighborhood group)	FROM: TO:		& 6th H&A	Ḥ&	Α .
4.	C14-82-024	JOSIE CHAMPION et al 1822 W. 35th also bounded by Oakmont (No formal neighborhood group)	FROM: TO:				
5.	C14-82-025	W. P. GOODWIN ESTATE By: Jane G. Gongaware 1122-1130 Springdale Road 3701-3729 Goodwin Avenue	FROM: TO:				

6.	C14-82-026	AUSTIN NATIONAL BANK and J. CHRYS DOUGHERTY, TRUSTEES By: Robert Barnstone 301-309 Willow Street, also bounded by Trinity Street (No formal neighborhood group)	FROM: TO:	"B", 2nd H&A "C", 3rd H&A
7.	C14r-82-027	MRS. BRYAN ROBINSON By: Judith E. Fowler 11904 N. I.H. 35 (Walnut Creek Neighborhood Assn.)	FROM: TO:	Interim "A", 1st H&A "C", 1st H&A
8.	C14-82-028	NELSON PUETT By: Scott Roberts 8213 Brodie Lane (Brodie Lane Homeowners Assn.)		"LR", 1st H&A "GR", 1st H&A
9.	C14-82-030	JACK & MARIE MCGRAW By: Bill Warford 3807 Spicewood Springs Road (Northwest Austin Civic Assn.)		Interim "A", 1st H&A "O", 1st H&A
10.	C14-82-032	J. ALTON BAURLE By: Miguel "Mike" Guerrero 3000 Manchaca (No formal neighborhood group)		Interim "A", 1st H&A "GR", 1st H&A
11.	C14r-82-033	TRAVIS DEVELOPMENT COMPANY, INC. By: Tom Curtis 3730 Ed Bluestein Blvd. (Springdale-Webberville Assn.)	FROM: TO:	Interim "A", 1st H&A "DL", 1st H&A
12.	C14r-82-034	J. A. SMALL By: David Armbrust 1009-1011 & 1013-1019 Edgecliff 1012-1030 Riverside Dr. also bounded by S. I.H. 35 (South River City Citizens)	FROM: TO:	"0" & "A", 5th & 1st H&A "B", 3rd H&A
13.	C14r-82-035	JOE J. JOSEPH By: Ron Reue 1721 &1719 W. 6th St. 1720 7 1718 W. 5th St. (Patterson Avenue Area Neighborhoo Integrity Committee)	TO:	"A", 2nd H&A "O", 1st H&A

14. C14r-82-036 RUBY H. TARTER, DORIS BELL AND ESTATE OF PEARL MESSER TO: "GR" 1st H&A By: Jerry L. Harris 6739-6811 U.S. 290 E. 6610-6712 Berkman Drive (No formal neighborhood group)

15. C14r-82-037 CITY OF AUSTIN PLANNING DEPT. FROM: "A". 1st H&A

15. C14r-82-037 CITY OF AUSTIN PLANNING DEPT. FROM: "A", 1st H&A
Rear of 11047-11109 U.S. 183 TO: "BB", 1st H&A
also bounded by Santa Cruz
(Mesa Park Civic Assn.)
(Balcones Woods Homeowners)

16. C14-82-038 HAL STARKEY FROM: "A", 1st H&A 5214 Jo Sayers Ave. TO: "BB", 1st H&A (No formal neighborhood group)

GEORGE C. JR. & JOHN M. JOSEPH, FROM: "AA", 1st H&A
MAGDALENE FALYEY, HORACE TO: "A", 1st H&A
JOSEPH
By: Scott Roberts
4812-4910 Duval Road
(Angus Valley Area Neighborhood Assn.)
(Northwood Neighborhood Assn.)
(Dorsett Road Neighborhood Assn.)

18. C14-82-040 CITY OF AUSTIN PLANNING DEPT.

FROM: "A", "B", "O", "O-H"
"LR", "GR", "C, "C-1"
"C-2", 1st & 2nd H&A
TO: Appropriate Zoning

904-1504 and 901-1235 East 11th Street 901-1427 East 12th Street 1172-1198 Comal Street 1100-1194 and 1175-1195 Angelina Street 1150-1198 and 1151-1199 San Bernard Street 1006-1196 and 1101-1199 Navasota Street 1012-1158 and 1017-1159 Lydia Street 1006-1198 and 1007-1199 Waller Street 1016-1022 and 1011-1015 Wheeless Street 1150-1198 and 1151-1199 Curve Street 900-1104 and 901-1105 Catalpa Street 1100-1104 and 1101-1105 Amber Street 1200-1416 and 1201-1413 Cotton Street 900-1106 and 901-1107 Olive Street 1100-1110 and 1101-1111 Myrtle Street 1200-1312 and 1201-1313 Hackberry Street 900-1114 and 901-1203 Juniper Street 1200-1326 and 1201-1323 Rosewood Avenue 1159-1197 Branch Street 1006-1018 and 1007-1015 San Marcos Street (Guadalupe Area Neighborhood Assn.) Robertson Hill Neighborhood Organization) MLK/Eleventh St. Assn.)

(Central East Austin Assn.)

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19.	C14-82-041	LYNN STORM By: David B. Armbrust 911-1109 Oltorf St. 908-1298 St. Edwards Dr. (South River City Citizens)		"A", 1st H&A "B", 1st H&A
20.	C14-82-042	VAN CLEVE DEVELOPMENT CO., INC. 9700 N. Lamar Blvd. (North Austin Civic Assn.)	FROM: TO:	"GR", 1st H&A "C", 1st H&A
21.	C14-82-043	JAMES K. EICHELBERGER, JR., CHARLES & LEON HOWARD, LEE BLOCKER, ANTHONY LEYENDECKER 7113 Burnet Road (Crestview Neighborhood Assn.)	FROM: TO:	"GR", 6th H&A "C", 1st H&A
22.	C14-82-044	ARTHUR THOMPSON 6301 Manchaca Rd. (Cherry Meadows Neighborhood Assn.) (Miles Avenue-Manchaca Estates Assn	TO:)	"O", 1st H&A "GR", 1st H&A
23.	C14r-82-045	EXXON CORPORATION By: Gene Braun 7701 I.H. 35 also bounded by Anderson Lane East (St. Johns Community Assn.) (St. Johns Neighborhood Center)		Interim "A", 1st H&A "GR", 1st H&A
24.	C14-82-046	WILLIAM T. DUGGER III By: Phil Mockford 4000-4010 Lewis Lane 4001-4009 Burnet Road 1300-1308 W. 40th Street (Rosedale Neighborhood Assn.)		"A", 1st H&A "B", 1st H&A
25.	C14r-82-047	A. LEON THOMPSON, JR., TRUSTEE By: Phil Mockford 8900-8936 MoPac Expway 8900-8916 Jollyville Road 8819-8921 Business Park Dr. (Balcones Civic Assn.)	FROM: TO:	"C", 1st H&A "C", 2nd H&A
26.	C14-82-048	S.R.D. ENTERPRISES By: David Fritsche 5618 Manor Road, also bounded by Rogge Lane (Pecan Springs Integrated Neighborhood Association)	FROM: TO:	"O", 1st H&A "LR", 1st H&A
27.	C14-82-049	CITY OF AUSTIN PLANNING DEPT. 1010 East 7th Street (Guadalupe Area Neighborhood Assn.) (Central East Austin Assn.)	TO:	"A", 1st H&A "C", 1st H&A

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28.	C14-82-050	JEAN EVANS BUNGE 3609 Lawton Avenue (No formal neighborhood group)	FROM: TO:	"A", 1st H&A "GR", 1st H&A
29 .	C14r-82-052	W.W. & EMMA JEAN DAUGHTRY By: Jerry L. Harris 940 East 51st Street (No formal neighborhood group)	FROM: TO:	"B", 1st H&A "O", 1st H&A
30.	C14-82-053	EDITH & MARCUS GRUMBLES MARGARET J. FERRIS SOUTH AUSTIN PROPERTIES EARL DURFEY OLGA & IGNACIO GONZALES By: Holford & Carson 4201-4217 James Casey Street 621-627 Radam Lane also bounded by Clifford Street (Far South Austin Community Assn.)		"A", 1st H&A "O-1", 1st H&A, & "LR", 1st H&A
31.	C14-82-054	JOHN SIMMONS AND STEVE SCOTT By: David B. Armbrust 809, 821-829 Barton Springs Road also bounded by Bouldin Ave. (South Austin Neigh. Council) (Bouldin Creek Neigh. Assn.) (Becker Area)		"C-2", 2nd H&A, & "A", 1st H&A "C", 3rd H&A
32.		JOHN SIMMONS AND STEVE SCOTT By: David B. Armbrust 703-721 Barton Springs Road (South Austin Neigh. Council) (Bouldin Creek Neigh. Assn.) (Becker Area)		"C" & "C-2", 2nd H&A "C", 3rd H&A
33.	C14-82-056	ALBERT VANDERLEE By: Melvin E. Corley 6014 & 6016 Fairway (Montopolis Neighborhood Center) (The Montopolis Neigh. Assn.) (Montopolis Assn.)	FROM: TO:	"A", 1st H&A "BB", 2nd H&A
34.	C14-82-057	C.L.R. DEVELOPMENT, INC. By: Marshall Graham 1700 & 1702 Willow Creek Drive (No formal neighborhood group)	FROM: TO:	"LR", 1st H&A "GR", 1st H&A
35.		CITY OF AUSTIN PLANNING DEPT. Property between Williamson Creek, Little Texas Lane, IH-35 & Wasson Road (Battle Bend Springs Assn.)	FROM: TO:	Interim "A", 1st H&A "A", 1st H&A

36. C14h-82-001 JACOB LAMOUR BLOCK FROM: "C-2", 4th H&A By: City of Austin TO: "C-2-H", 906-922 Congress Avenue 4th H&A ALLAN JR. HIGH/AUSTIN HIGH SCHOOL 37. C14h-82-009 FROM: Undesignated By: City of Austin TO: Undesignated-700 block West 12th Historic (Old Austin Neighborhood) 38. C14h-82-004 MILLER-SEARIGHT HOUSE FROM: Interim "A", By: Harry R. Sindorf 1st H&A 5400 Friedrich Lane "A-H", 1st H&A TO: (Franklin Park Homeowners Assn.) (Southeast Austin Growing Neigh.) (South Highlands Neigh. Assn.) FROM: "C-2-H", 39. C14h-78-045 RISHER-ROACH BUILDING By: Frances Pannell 4th H&A 509-513 East 6th Street "C-2", 4th H&A TO: (Old Pecan Street Assn.) 40. C14r-81-052 GEORGE MILTON, JR., CLEO DANIEL FROM: "A", 1st H&A & MICHAEL MILTON & DOUGLAS E. FIKE TO: "L", 3rd H&A By: Charles W. Croslin 1401-1405 Edgecliff Street, : 1400-1408 Edgecliff Street 1400-1412 Riverside Drive (South River City Citizens) FROM: "C", 2nd H&A 41. C14r-81-129 LAND EQUITIES, INC. By: Donald C. Babel TO: "C", 3rd H&A Rear 6413-6811 I.H. 35, 803-907 Camino La Costa, 904-1000 La Posada Drive (No formal neighborhood group) MYERS K. PARSONS FROM: "A" & "C", 42. C14-81-144 2720-2802 Lyons Road 1st H&A (Govalle Assn. for Survival) "LR". 1st H&A (as amended) PERRY INVESTMENTS, INC. FROM: Interim "A", 43. Cl4r-81-224 1st H&A By: Donald E. Bird "GR", 2nd H&A 3800 & 3900 blocks of TO: IH-35 South (Far South Austin Community Assn.) 44. C14-81-244 FROM: "A", 1st H&A JAY L. JOHNSON, JR. By: Miguel "Mike" Guerrero "GR", 1st H&A TO: 2910 Manchaca

(No formal neighborhood group)

45. C14r-82-010 AUGUSTINE RAMIREZ
By: Donald E. Bird
7224-7238 E. Ben White Blvd.
also bounded by Yellow Jacket &
Carson Ridge
(The Montopolis Neigh. Assn.)
(Montopolis Assn.)

46. C14r-82-013 WESTVIEW DEVELOPMENT COMPANY FROM: Interim "AA",
By: Planned Environments 1st H&A
4603 Capitol of Texas Highway TO: "A-2", 1st H&A
(Lake Austin Hill Country
Neighborhood Assn.)

47. C14r-82-014 WESTVIEW DEVELOPMENT COMPANY
By: Planned Environments
4911 Capitol of Texas Highway
(Lake Austin Hill Country
Neighborhood Assn.)

FROM: Interim "AA",
1st H&A
TO: "A-2", 1st H&A

48. C14-82-018 ANNE B. VEACH, ESTATE FROM: "A", 1st H&A
By: Wayne Gronquist TO: "O", 1st H&A
901 Rio Grande Street
(Old Austin Neighborhood)

49. C14-82-020 CITY OF AUSTIN PLANNING DEPT. FROM: Interim "A", 1st H&A 300-902, 301-901 Battle Bend Blvd. TO: "AA", "A", "O", 4742-5310 & 4601-5309 Suburban Dr. 1st H&A 4910-5000, 5204-5310, 4909-5001 & 5205-5313 Fort Clark Drive 200-602 & 201-603 Sheraton Dr. 4600-4914 Weidemar Lane 707-909 Shelby Lane 4602 & 4803 Witham Lane

All of the following streets:

Roland Drive
Chippendale Avenue
Winchester Court
Liverpool Drive
Surrey Drive
Sheffield Drive
Greenwood Terrace
Harway Court
Rhonda Court
Old Castle Road
Wolverton Drive
Seminole Drive
Tilbury Lane
(Battle Bend Springs Assn.)

Newcastle Road
Sussex Drive
La Bahia Road
Fort Mason Drive
Old Stone Road
Fort Drum Drive
Chihuahua Trail
Presidio Road
Windledge Drive
Spanish Bluff Drive
Westmoreland Dr.
Manchester Circle
Tamworth Avenue

	THE PARK AT LAKEWOOD HILLSIDE DESIGNS By: Jim Spence 7100-7231 Lakewood Dr. (Lakewood Homeowners Assn.) (Spicewood Springs Valley Area) (Spicewood Springs Rd. Vly. Assn.)	FROM: Retail Use of PUD, 1st H&A TO: Residential Use of PUD, 1st H&A		
51. C14-78-225	By: John C. Meinrath	Amendment to Restrictive Covenant		
52. C14-78-083	EDWIN LONDON By: David H. Hutton Rear of 11047-11109 U.S. 183 (Mesa Park Civic Assn.) (Balcones Woods Homeowners)	Amendment to Restrictive Covenant		
53. C14-78-188	WALTER VACKAR ASSOCIATES, INC. 3501-3529 Steck Avenue, 8122-8180 MoPac (Balcones Civic Association)	Amendment to Restrictive Covenant		
54. C14-82-004	CHRIS PETROPOULOS By: Steve Price Rear of 2414-2416-2418 S. Lamar and Rear of 2408-2410-2412 Bluebonnet Lane (A Better Barton Creek)	FROM: "A", 1st H&A TO: "C", 1st H&A and "O", 1st H&A (as amended)		
	DAVID B. BARROW, JR. By: Roe Gregg 3563 Far West Blvd., Suite 106 also bounded by Wood Hollow Dr. (Northwest Austin Civic Assn.)	FROM: "GR", 1st H&A TO: "C", 1st H&A		

ADJOURNMENT

Council adjourned its meeting at 6:40 p.m.